



Legislation Details (With Text)

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On agenda: **Final action:** 1/21/2004

Effective date:

Title: A substitute ordinance relating to limited use standards for certain uses in industrial zoning districts.

Sponsors: ALD. WITKOWSKI, ALD. BREIER

Indexes: MOTOR VEHICLES, ZONING

Attachments: 1. Communication from ZCTC.PDF, 2. CPC Letter.pdf

Date	Ver.	Action By	Action	Result	Tally
11/25/2003	0	COMMON COUNCIL	ASSIGNED TO		
12/1/2003		ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
12/19/2003	1	CITY CLERK	DRAFT SUBMITTED		
1/5/2004	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/6/2004	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/13/2004	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
1/21/2004	1	COMMON COUNCIL	PASSED	Pass	14:0
2/6/2004	1	CITY CLERK	PUBLISHED		
10/15/2013	1	COMMON COUNCIL	PUBLISHED		
11/5/2013	1	COMMON COUNCIL	SIGNED		

031136
SUBSTITUTE 1

ALD. WITKOWSKI AND BREIER

A substitute ordinance relating to limited use standards for certain uses in industrial zoning districts.

295-803-1 (table) am

295-803-2-L-4 am

295-803-2-v am

295-803-2-w am

This ordinance makes the following changes to the regulations for industrial zoning districts:

1. A mixed-waste processing facility or a heavy motor vehicle repair facility or body shop located within 150 feet of a residential zoning district shall be permitted as a limited use in an industrial-light (IL) or industrial-heavy (IH) zoning district only if the use is totally enclosed within a building and does

not operate between the hours of 7 p.m. and 7 a.m. (There are additional limited use standards for the 2 heavy motor vehicle-related uses). Currently, these uses are required to meet one of these standards, but not both, in order to be permitted as a limited use.

2. A material reclamation facility located within 150 feet of a residential district shall be permitted as a limited use in the industrial-heavy (IH) district only if the facility does not operate between the hours of 7 p.m. and 7 a.m. (This is in addition to an existing limited use standard requiring the facility to be contained entirely within a building, regardless of the facility's distance from a residential district).

3. The classification of heavy motor vehicle outdoor storage in an industrial-light (IL) district is changed from limited use to special use. The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Table 295-803-1 of the code is amended to read:

Table 295-803-1 INDUSTRIAL DISTRICTS USE TABLE				
Y = Permitted Special Use	Zoning Districts			
Uses	IO1/IO 2	IL1/IL 2	IM	IH
RESIDENTIAL USES				
Single-family	N	N	Y	N
Two-family dw	N	N	Y	N
Multi-family	N	N	Y	N
Attached sing	N	N	Y	N
Live-work uni	N	N	Y	N
Mobile home	N	N	N	N
Watchman/serv	Y	Y	N	Y
Family day ca	N	N	Y	N
<i>Group Residen</i>				
Rooming ho	N	N	S	N
Convent, r	N	N	Y	N
Dormitory	N	N	S	N
Fraternity	N	N	S	N
Adult family	N	N	L	N
<i>Foster Homes</i>				
Foster fam	N	N	Y	N
Small fost	N	N	L	N
Group home	N	N	L	N
<i>Shelter Care</i>				
Family she	N	N	Y	N
Small grou	N	N	L	N

Large group	N	N	S	N
Community livin	N	N	L	N
Transitional	N	N	S	N
EDUCATIONAL USES				
Day care cent	S	S	L	S
School, eleme	N	N	Y	N
College	S	S	S	N
School, speci	S	S	S	N
COMMUNITY-SERVING USES				
Library	N	N	Y	N
Cultural inst	N	N	L	N
Community cen	N	N	S	N
Religious ass	N	N	S	N
Cemetery or o	N	N	N	N
Public safety	Y	Y	Y	Y
Correctional	N	N	N	N
COMMERCIAL AND OFFICE USES				
General offic	Y	Y	Y	L
Government of	Y	Y	Y	L
Bank or other	S	S	Y	N
Currency exch	N	N	S	N
Retail establ	N	N	Y	N
Garden supply	N	Y	Y	N
Home improvem	N	Y	Y	N
Secondhand st	N	N	S	N
Outdoor merch	N	N	L	N
Artist studio	N	Y	Y	N
Adult retail	N	N	S	N
HEALTH CARE AND SOCIAL ASSISTANCE				
Medical offic	S	N	S	N
Health clinic	L	N	S	N
Hospital	N	N	N	N
Medical resear	Y	Y	Y	N
Medical servi	N	S	N	N
Social servic	N	S	S	N
Emergency res	N	N	N	N
Nursing home	N	N	N	N
GENERAL SERVICE USES				
Personal serv	N	N	Y	N

Business serv	Y	S	Y	N
Building main	S	Y	S	N
Catering serv	S	Y	Y	N
Funeral home	N	N	N	N
Laundromat	N	N	Y	N
Dry cleaning	N	N	Y	N
Furniture and	N	N	Y	N
Household mai	N	Y	Y	N
Tool/equipmen	N	Y	Y	N
<i>Animal Service</i>				
Animal hos	N	Y	L	Y
Animal boan	N	Y	L	Y
Animal gro	N	Y	L	Y
MOTOR VEHICLE USES				
<i>Light Motor V</i>				
Sales faci	N	S	S	S
Rental fac	L	S	S	S
Repair fac	N	S	S	L
Body shop	N	S	S	L
Outdoor st	N	Y	S	Y
Limited wh	Y	Y	Y	Y
<i>Heavy Motor V</i>				
Sales faci	N	Y	S	Y
Rental fac	N	Y	S	Y
Repair fac	N	L	S	L
Body shop	N	L	S	L
Outdoor st	N	[[L]] >>S<<		Y
<i>General Motor</i>				
Filling st	S	S	S	S
Car wash	S	S	S	S
Drive-thro	S	S	S	S
<i>Parking</i>				
Parking lo	Y	Y	L	Y
Parking lo	Y	Y	L	Y
Parking st	Y	Y	L	Y
Parking st	L	L	L	L
Heavy moto	S	L	L	Y
Heavy moto	Y	Y	Y	Y
ACCOMODATION AND FOOD SERVICE USES				

Bed and break	N	N	Y	N
Hotel, commer	L	N	Y	N
Hotel, reside	N	N	Y	N
Tavern	L	L	Y	L
Assembly hall	S	S	S	N
Restaurant, s	L	L	Y	L
Restaurant, f	L	L	L	L
ENTERTAINMENT AND RECREATION USES				
Park or playg	S	S	S	S
Festival grou	N	N	N	N
Recreation fa	N	S	Y	N
Recreation fa	N	N	S	N
Health club	L	L	Y	N
Sports facili	N	S	S	N
Gaming facili	N	S	N	N
Theater	N	N	Y	N
Convention an	S	N	S	N
Marina	Y	Y	Y	Y
Outdoor racin	N	N	N	S
Adult enterta	N	N	N	N
STORAGE, RECYCLING AND WHOLESALE TRADE USES				
Recycling col	S	Y	S	Y
Mixed-waste p	N	L	S	L
Material recl	N	N	N	L
Salvage opera	L	L	L	L
Salvage opera	N	S	S	S
Wholesale and	Y	Y	Y	Y
Wholesale and	S	Y	S	Y
Storage Facil				
Indoor	Y	Y	Y	Y
Outdoor	N	Y	S	Y
Hazardous	N	N	N	S
TRANSPORTATION USES				
Ambulance ser	Y	Y	S	Y
Ground transp	S	Y	S	Y
Passenger ter	Y	Y	Y	Y
Helicopter la	S	S	S	S
Airport	N	Y	N	N
Ship terminal	N	Y	N	Y

SHIP TERMINAL	L	S	L
Truck freight	N	S	L
Railroad switch terminal	N	Y	Y
INDUSTRIAL USES			
Manufacturing	Y	Y	Y
Manufacturing	N	S	Y
Manufacturing	N	N	S
Research and	Y	Y	Y
Processing or	N	N	S
Contractor's	S	Y	Y
Contractor's	S	Y	Y
AGRICULTURAL USES			
Plant nursery	Y	Y	Y
Raising of cr	Y	Y	Y
UTILITY AND PUBLIC SERVICE USES			
Broadcasting	Y	S	S
Transmission	L	L	L
Water treatment	Y	Y	Y
Sewerage treatment	N	Y	Y
Power generation	N	S	Y
Substation/di	S	Y	Y
Substation/di	L	Y	Y
TEMPORARY USES			
Seasonal market	L	L	L
Temporary retail	L	L	L
Concrete/batch	L	L	L
Live entertainment	L	L	L

Part 2. Section 295-803-2-L-4 of the code is amended to read:

295-803. Uses.

2. LIMITED USE STANDARDS.

L. Heavy Motor Vehicle Repair Facility, Heavy Motor Vehicle Body Shop or Heavy Motor Vehicle Outdoor Storage.

L-4. If the use is located within 150 feet of a residential district, it shall be totally enclosed >>within a building<< [[~~or~~]] >>and<< it shall not operate between the hours of 7 p.m. and 7 a.m.

Part 3. Section 295-803-2-v of the code is amended to read:

v. Mixed-waste Processing Facility. If the use is located within 150 feet of a

residential district >>, << it shall be totally enclosed >>within a building<< [[
e#]] >>and<< it shall not operate between the hours of 7 p.m. and 7 a.m.

Part 4. Section 295-803-2-w of the code is amended to read:

w. Material Reclamation Facility. The use shall be contained entirely within a building >>and, if located within 150 feet of a residential district, shall not operate between the hours of 7 p.m. and 7 a.m.<<

APPROVED AS TO FORM

Legislative Reference Bureau
Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date: _____

LRB03531-2
JDO
12/19/03